



Partnership for the  
Advancement of  
New Americans



Mayor and Council  
City of El Cajon  
200 Civic Center Way  
El Cajon, CA 92020

May 30, 2019

**Re: Comments on El Cajon's Draft Climate Action Plan (CAP) and Draft EIR (DEIR)**

Dear Mayor Wells and Council,

Climate Action Campaign (CAC) is an environmental nonprofit organization with a simple mission: to stop the climate crisis.

The Partnership for the Advancement of New Americans (PANA) is a research, public policy, and community organizing hub dedicated to advancing the full economic, social, and civic inclusion of refugees.

SanDiego350 is an inclusive volunteer organization devoted to inspiring a movement to prevent the worst impacts of climate change and climate injustice. We strive to create a future that supports a livable planet and just society through education and outreach, public policy advocacy, and mobilizing people to take action. We represent approximately 10,000 local volunteers and supporters in the San Diego area.

The City's Climate Action Plan is an opportunity to continue building on the City's efforts, by developing a comprehensive climate solutions strategy and implementation plan that both meets the scale of the challenge the climate crisis poses and helps bring clean air, safe streets, affordable clean energy, and other benefits to families and businesses in El Cajon.

We offer the following recommendations to help ensure that the CAP for El Cajon will deliver a safe and healthy future for families in El Cajon.

**COMMENTS ON THE CAP:**

***Revise the CAP to Comply with CEQA Guidelines for Qualified Plans***

CEQA is clear about what is required for a qualified CAP. For a CAP to function meaningfully as a roadmap to its reduction target, the measures in the plan must be enforceable — which means they must be specific, unambiguous, and contain clear requirements. Voluntary measures violate these CEQA guidelines.

In *California Riverwatch v. County of Sonoma et. al* (2017), the court stated that in CAPs used for tiering, “any measures or requirements imposed [must] be sufficiently defined to be enforceable.” This means that for the CAP as a whole to be legally binding, the measures that comprise it must be enforceable. The decision further states that measures that fall into the category of “wishful thinking, good intentions, and an intent to ‘work’ with others” violate CEQA (26). The measures within the CAP must be specific, evidence-based, and contain mandatory requirements, all of which serve to make the CAP as a whole meaningfully enforceable.

Several of the City Actions within the CAP are not enforceable, and thus do not comply with CEQA. Examples include:

- City Action RE-2.1, “Research methods to increase grid-supply of renewable and zero-carbon electricity.” To “research methods” is not specific, and does not contain clear requirements.
- City Action RE-1.2, “Support the school districts’ efforts to install PV systems at school sites.” As mentioned above, an intent to ‘work’ is not considered an enforceable strategy.
- City Action T-4.1 “Increase renewable and alternative fuel use in construction equipment.” This action is not specific, and does not contain clear requirements.

We strongly urge the City to revise the CAP so that all greenhouse gas reduction measures are enforceable and legally defensible.

### ***Amend Planning Horizon from 2030 to 2045 In Line With State Targets***

As a long-range planning document, El Cajon’s CAP should amend the planning horizon from 2030 until at least 2045, and the target for that year should align with Executive Order B-55-18, which aims to achieve carbon neutrality by 2045. Other cities in California, including Los Angeles and Santa Monica, are already planning for this goal, showing that planning for carbon neutrality is not only necessary, but achievable today.

The UN IPCC Special Report on Global Warming of 1.5°C and other recent climate science findings show that, at every level of government, we must plan for and fully execute a total transition away from fossil fuels. To achieve that transition, we need all of our cities to establish the roadmap and begin deep decarbonization today.

### ***Include Smart Land Use Policies with Affordable Housing Near Transit***

Building affordable housing near transit is a necessary strategy to reduce VMT and reduce GHG emissions.

<sup>1</sup> However, the CAP does not currently include strategies that advance the development of affordable housing in El Cajon, especially near the City’s transit centers and high-frequency bus lines.

We recommend that the CAP include the following measures to increase the supply of affordable housing, especially near transit:

- Although we support City Action T-7.1, “Increase Residential Dwelling Units in Transit Oriented Development Areas. Complete the development of the MTS parking lot into 126 dwelling units by 2030,” we strongly recommend the CAP requiring that those be dedicated to affordable housing for very low-income and low-income families.
- We also recommend that City Action T-7.3, “Implement the TDSP by actively marketing and encouraging development in the Plan’s proposed area, including new housing projects within the area” require that the new housing projects in the Plan’s proposed area be dedicated to affordable housing for very low-income and low-income families.
- Pursue State grants such as the Affordable Housing and Sustainable Communities grants to support affordable housing projects near transit.
- Pursue other opportunities to utilize existing properties adjacent to transit and employment centers to develop housing affordable to very low-income and low-income families.
- Present to Council for consideration an inclusionary housing ordinance that would require a portion of all multi-family housing to be set aside for families earning less than 80% of the Area Median Income. Inclusionary housing ordinances help boost affordable housing production and supports racial and economic integration.
- Present to Council for consideration an ordinance prohibiting the practice of landlords’ denying rental applications because they hold housing vouchers, known as Source of Income Discrimination. Allowing this practice reinforces segregation, and cities that are highly segregated are far more likely to experience the impacts of environmental injustice, such as failing infrastructure as a result of inequitable investment, poor air quality, high lead levels, toxic wastes that contaminate soils and sicken children, and other hazards. Fair housing and environmental justice go hand in hand; for all families to be able to enjoy a high quality of life, cities must proactively dismantle segregationist systems.

The CAP should also add a measure specifying where smart growth and density should be targeted and what transportation mode share, VMT, and land use goals should be set for specific communities throughout the City so there is clarity for the public and City Staff. The City of San Diego’s ongoing struggle to ensure that community plan updates in urban, transit-priority communities are aligned with CAP targets, and to agree upon what goals each community is responsible for meeting, highlights the importance of including both a neighborhood-level specificity and a jurisdiction-wide approach in the CAP.

### ***Amend the Clean Energy Target to 100% by 2030 and Commit to Community Choice Energy***

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<sup>1</sup> Center for Neighborhood Technology, California Housing Partnership Corporation. (2016). *Location Matters: Affordable Housing and VMT Reduction in San Diego County*. Retrieved from: <https://static1.squarespace.com/static/5a6bd016f9a61e52e8379751/t/5a80f33bec212d81181be01d/1518400319715/Climate+Action+-+Affordable+Housing+And+VMT+Reduction.pdf>

We recommend amending City Action RE-2.1 to be: “Establish a Community Choice Energy Program. Present to City Council for consideration a Community Choice Energy program that increases renewable electricity supply. Achieve 100 percent renewable electricity supply by 2030.”

Six cities in the San Diego region (San Diego, Del Mar, Solana Beach, Chula Vista, Encinitas, and La Mesa) have set 100% clean energy targets by either 2030 or 2035, with a commitment to pursue Community Choice as the means to that end.

City Action: RE-2.1 currently reads: “Conduct Research and Present to City Council Options to Increase Renewable Energy and Zero-Carbon Electricity. Research Methods to increase grid-supply of renewable and zero-carbon electricity. Achieve 80 percent renewable and zero-carbon electricity.”

However, as several other cities in the region have already determined, Community Choice is the only viable pathway to reaching 100% clean energy at the local level, and nearly two dozen programs are operating successfully in over 160 cities across California. Therefore, we strongly urge the City to avoid wasting time and resources, and instead express the intent to join a Community Choice program to meet its renewable energy targets.

### ***Include Strategies to Reduce Building Emissions by 2045 Through Building Electrification***

Even as our cities achieve 100% clean electricity, natural gas remains the third most significant source of emissions in our cities, so to fully transition away from fossil fuels, we must identify strategies to reduce and ultimately eliminate natural gas consumption.

Currently the draft CAP does not include strategies to eliminate greenhouse gas emissions through building electrification. We urge El Cajon to include in its CAP targets and associated strategies to electrify municipal, commercial, and residential buildings. These targets and strategies should include:

- Reducing GHG emissions from buildings by 40 percent below 1990 levels by 2030 and eliminating building emissions by 2045 through widespread building electrification.
- Requiring all newly constructed or renovated buildings to be all-electric.
- Adopting a plan to electrify municipal buildings.
- Streamlining permitting to make electrifying existing buildings easier.
- Developing financial incentives to lower purchase and installation costs for electric appliances.
- Creating public outreach and education campaigns to promote building electrification.
- Support workforce development and training programs that promote good-paying careers for technicians that install and service electric appliances.

In addition to reducing emissions, building electrification provides numerous co-benefits, including lower energy bills and lower costs for new construction, improved indoor and outdoor air quality, safer energy infrastructure, and the creation of good-paying green jobs.

### ***Include a Residential Energy Disclosure Ordinance to Increase Energy Efficiency***

We were pleased to see multiple measures identifying water conservation and energy efficiency ordinances for residential and non-residential buildings.

In addition to City Action BE-1.1: “Require Energy Audits for Additions to Existing Residential Units” and City Action BE-2.1: “Require Energy Audits of Non-Residential Additions and Improvements,” we recommend a Residential Energy Disclosure Ordinance similar to the one adopted in Portland, Oregon (and called for in the City of San Diego’s CAP), which requires sellers of homes to obtain and disclose a Home Energy Report estimating the energy-related use, associated costs, and cost-effective solutions to improve the home’s efficiency.<sup>2</sup>

In addition to reducing emissions, energy efficiency promotes lower energy bills and creates good-paying green jobs.<sup>3</sup>

### ***Set Mode Share Targets for Biking, Walking, and Transit***

In the Draft CAP, Strategy 3 of the Transportation section addresses the broad goal of increasing the share of trips taken using walking, biking, and public transit. While the steps enumerated are worthwhile actions to take, they do not provide a clear roadmap to reduce emissions by a specified amount.

We strongly recommend setting targets for pedestrian, bicycle, and mass transit mode shares. For example, the City of San Diego states its goal as, “Achieve mass transit mode share of 12% by 2020 and 25% by 2035 in Transit Priority Areas,” “Achieve walking commuter mode share of 4% by 2020 and 7% by 2035 in Transit Priority Areas,” and, “Achieve 6% bicycle commuter mode share by 2020 and 18% mode share by 2035 in Transit Priority Areas.” El Cajon’s CAP should set aggressive mode share targets tailored to the City’s local context, and include strategies to meet them.

Articulating those goals allows the development of aligned strategies to ensure goals are met, resulting in an evidence-based roadmap toward ambitious, feasible targets. Mode share goals also help municipalities plan and budget to facilitate a shift away from car-centric growth, as well as advocate for assistance for better transit infrastructure. Finally, they can also help communities plan for anticipated or desired health outcomes.

*Biking:* City Action T-7.1 “Complete an Active Transportation Plan” is to add eight miles of Class II or better bike facilities. Research and experience have shown that Class II bike facilities, which are striped bike lanes without a physical barrier, do not increase ridership as much as physically protected bike lanes

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<sup>2</sup> City of Portland Home Energy Score, City of Portland, Bureau of Planning and Sustainability, <https://www.pdxhes.com/>

<sup>3</sup> Ettenson, Lara. “Good News for Good Jobs: Clean Energy Soars.” NRDC.org, NRDC, 30 May 2018, <https://www.nrdc.org/experts/lara-ettenson/good-news-good-jobs-clean-energy-outpaces-fossil-fuels>.

and provide *no* safety benefits, whereas protected lanes increase safety for all road users.<sup>4</sup> To increase bike ridership and secure safer streets for all, we recommend prioritizing protected bike facilities, not painted bike lanes. We also recommend committing to a deadline for the completion of the Active Transportation Plan.

*Transit:* We recommend including strategies that encourage transit ridership, including adding a supporting measure, “Support planning and policy decisions at SANDAG that would reduce both GHG emissions and VMT and would increase transit ridership.”

### ***Commit to Zero Waste***

The CAP should achieve zero waste through strategies such as eliminating single-use materials, composting, and capturing landfill gas.

Currently, measure W.1 reads, “Achieve and maintain 75% waste diversion by and after 2020.” We recommend adopting a Zero Waste policy that commits to 100% waste diversion by 2030.

### ***Commit to Fully Electrifying the City’s Municipal Vehicle Fleet***

While we support that the Draft CAP commits to a fleet conversion plan, we strongly recommend that the CAP exclusively commit to ZEV’s, and not to hybrid vehicles.

Currently, measure T-1.1 reads, “Develop a Fleet Management Program to guide the replacement of non-public safety vehicles to alternative-fuel vehicles.” We recommend amending that language to read: “Develop a Fleet Management Program to guide the replacement of vehicles to zero emission vehicles by 2030.”

### ***Prioritize Planting and Caring for Drought-Tolerant Trees***

Strategy 8: “Carbon Sequestration”, should include a measure to care for and maintain current and new trees, as well as prioritize drought-tolerant trees.

### ***Adopt Green Infrastructure Strategies***

The CAP should include green infrastructure strategies to sequester carbon and deliver environmental, social, and economic benefits to the City. Green infrastructure is an approach to stormwater management that mimics or protects natural water systems.

Under Strategy 8: “Carbon Sequestration,” the CAP should adopt green infrastructure strategies such as preserving or restoring natural lands, implementing green streets using techniques such as street trees, permeable pavements, bioretention, and swales, and adopting retrofit policies for public and private

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<sup>4</sup> Marshall, Wesley E., and Nicholas N. Ferenchak. “Why cities with high bicycling rates are safer for all road users.” *Journal of Transport & Health*, May 2019. <https://www.sciencedirect.com/science/article/pii/S2214140518301488?via%3Dihub>

properties that promote projects such as permeable pavement and green roofs.<sup>5</sup> We recommend quantifying targets associated with each of these strategies, including a tree canopy coverage target.

### ***Include an Equity Section***

Climate change hits hardest in communities that are disproportionately burdened by multiple sources of pollution and face health and socioeconomic challenges. California’s Environmental Health Screening Tool, CalEnviroScreen 3.0, identifies communities most vulnerable to pollution and climate impacts so that the state and local governments can direct attention and resources toward the pursuit of environmental justice in those places.

In El Cajon, two census tracts fall in the top 15 percent of CalEnviroScreen’s statewide rankings. We recommend that El Cajon’s CAP include a Social Equity section that utilizes CalEnviroScreen to explicitly define how El Cajon will ensure that these communities are prioritized in the implementation of GHG reduction strategies, including affordable housing development and investments in urban forestry, active transportation, renewable energy, and energy efficiency measures.

The development and implementation of this section should take place in consultation with a diverse set of stakeholders from the most impacted of the City’s communities.

### ***Hire a CAP Administrator and Commit to Annual Monitoring Reports***

In order to ensure timely and transparent progress, we recommend amending the Implementation and Monitoring Section of the CAP to commit to the following:

- Hire a CAP administrator to coordinate and oversee CAP implementation strategies.
- Require annual monitoring reports on implementation progress.
- Require a greenhouse gas inventory every three years.

### ***Outstanding Question***

The CAP does not provide a CAP consistency checklist. How does the CAP intend to provide CEQA streamlining for projects?

### **COMMENTS ON DEIR:**

#### ***Support for the Amendment of Measure RE-1 identified in Alternative 2:***

We support adoption of the amendment proposed for Measure RE-1 articulated in Alternative 2: “Roof-Top Solar for Commercial Properties.”

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<sup>5</sup> “Green Infrastructure Municipal Handbook.” *Green Infrastructure*, United State Environmental Protection Agency, December 2018, [https://www.epa.gov/sites/production/files/2015-10/documents/gi\\_munichandbook\\_retrofits.pdf](https://www.epa.gov/sites/production/files/2015-10/documents/gi_munichandbook_retrofits.pdf).

### ***Threshold for Significance:***

#### *Consistency with State Legislation and Policies*

Section ES-4 states “The City’s CAP is being developed to be consistent with state legislation and policies that are aimed at reducing statewide GHG emissions. This includes: Assembly Bill (AB) 32, which established a target of reducing statewide GHG levels to 1990 levels by 2020; Senate Bill (SB) 32, which established a mid-term target of reducing statewide GHG levels to 40 percent below 1990 levels by 2030; and Executive Order (EO) S-3-05, which recommends a 2050 statewide longer-term GHG reduction goal of reducing GHG emissions 80 percent below 1990 levels.” The DEIR also says, “The City has set a 2030 target based upon the trajectory necessary to meet the statewide 2050 goal.”

In response to this section, we offer the following comments:

- The project cannot claim to be developed to be consistent with EO S-3-05. The fact that the CAP’s 2030 target is based on the trajectory necessary to meet the statewide 2050 goal does not mean that it will be able to achieve the target of 80% below 1990 levels by 2050. The 2030 state target will be much easier to achieve than the 2050 target, and if the City does not plan for and immediately begin implementing the measures needed to achieve reductions to achieve the EO S-3-05 targets, it will be increasingly challenging to close the emissions gap between 2030 and 2050.
- The DEIR does not address whether the 2030 target in the CAP is also based upon the trajectory necessary to meet EO-55-18, the statewide target to reach carbon neutrality by 2045.

#### *Extending Beyond a 15-Year Timeline*

Furthermore, 3.6-8 states: “As discussed in Chapter 2.4, ‘Reduction Targets,’ of the CAP, the CAP primarily focuses on reducing emissions by 2020 and 2030, consistent with State mandates. California’s GHG reduction targets have been legislatively adopted for 2020 and 2030, while the 2050 goal is expressed in an EO. While setting goals beyond 2030 is important to provide long-term objectives, it is difficult to establish targets beyond a 15-year time frame for which defensible reduction assumptions can be made. This is primarily because of uncertainty around future technological advances and future changes in State and federal law beyond 2030. In addition, CARB’s Scoping Plan is focused on meeting the 2030 reduction target, as directed in SB 32. Therefore, the City’s CAP aligns with the state in setting a 2030 target.”

In response to this section, we have the following comments:

- Multiple other CAPs in the region, including the City of San Diego’s CAP, have extended beyond a 15-year time frame. Additionally, other Cities outside of the region have committed to plans that extend beyond a 15-year time frame, including the cities of Los Angeles and Santa Monica, which has committed to achieve net-zero emissions by 2050.
- After the 2030 state target, state GHG reduction targets drop precipitously. In order to meet these targets, cities will need to begin planning now. Strategies such as smart land use, electrification of buildings, and urban forests take decades to implement.

- As identified in Section 4.3 of the CAP, “Monitoring and Updates,” the CAP is able to “track progress and identify actions that need to be improved, adjusted, or removed.” The CAP should adopt a 2050 planning horizon in line with EO B-55-18 and EO S-03-05 that uses current GHG reduction strategies and available technology, and update the CAP as state and federal and state law and policies change and technological advances occur.
- While the 2050 goal is currently expressed in an EO, the 2050 goal will likely be legislatively adopted within the next few years, and El Cajon should plan proactively for that outcome rather than waiting to act.

### ***Conclusion***

Thank you for the opportunity to weigh in on the development of this critically important document. El Cajon’s CAP presents an opportunity to help protect the health and safety of current and future generations from the worst impacts of the climate crisis. We urge you to incorporate the recommendations above to deliver economic prosperity, safety, and health benefits, and stave off the worst impacts of the climate crisis.

Sincerely,



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